

**IN THE UNITED STATES BANKRUPTCY COURT**  
**Middle District of Alabama**

**In the Matter of:**

Ray Edward Ponder  
Tammy Darlena Ponder

**Debtor(s)**

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}  
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}

Case No. 05-33882

Chapter 13

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**OBJECTION TO TRUSTEE'S MOTION TO DISMISS**

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COMES NOW the Debtor, individually, and by attorney, and hereby objects to the Trustee's Motion to Dismiss, and as grounds for said Objection, states as follows:

1. The Debtor(s) got behind in plan payments because of the serious illness of Ms. Ponder's mother who suffered from cancer. Ms. Ponder had to travel from Montgomery to Atlanta in order to care her until her death in February. In addition, the debtor was laid off from her employer in April and didn't receive employment until June.
2. The Debtor(s) are able to make payments now because Ms. Ponder is employed full time now and can get back on track making the payments. The monthly plan payments are \$684 and with the filing of this objection the debtor is sending in a money order for \$684.
3. The Debtors wishes to stay in Chapter 13 and requests this court to deny the Trustee's Motion to Dismiss.

WHEREFORE, the premises considered, the Debtor requests this Court to deny the Trustee's Motion to Dismiss.

Respectfully submitted this the 30 day of September, 2008.

/s/ Richard D. Shinbaum  
*Attorney for Debtor:*  
Richard D. Shinbaum  
Shinbaum, McLeod &  
Campbell, P.C.  
566 South Perry Street  
Post Office Box 201  
Montgomery, AL  
36101-0201  
334-269-4440

### **CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the above foregoing motion on all parties listed below by CM/ECF on this day 30 day of September, 2008.

Chapter 13 Trustee, Curtis C. Reding  
Bankruptcy Administrator, Teresa Jacobs

UNITED STATES POSTAL SERVICE		POSTAL MONEY ORDER		1000
SERIAL NUMBER	YEAR, MONTH, DAY	POST OFFICE	U.S. DOLLARS AND CENTS	
12664149502	2008-09-30	360540	886847000	
AMOUNT		EIGHTY EIGHT DOLLARS & 00/100		
EIGHTY EIGHT DOLLARS & 00/100		NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS		
PAY TO		SEE REVERSE WARNING		
ADDRESS		FROM		
Charles Redding, Dept. B Trustee		Ray & Tammy Porter		
P.O. Box 330539		6080 Pineleaf Dr		
Birmingham, AL 35283		Milledgeville, GA 30654		
C.O.D. NO. OR USED FOR				
05-33882				
00000080020		126641495020		